



Connecticut Coalition Against Domestic Violence

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Member Agencies

Center for Domestic Violence Services at

BHcare

Ansonia, CT

The Center for Women & Families

Bridgeport, CT

Women's Center

Danbury, CT

Domestic Violence Program

United Services

Dayville, CT

Network Against Domestic Abuse

Enfield, CT

Domestic Abuse Services

Greenwich YWCA

Greenwich, CT

Interval House

Hartford, CT

Written Testimony

In Support of SB 856, AAC Domestic Violence

Public Safety & Security Committee February 21, 2013

Good morning Senator Hartley, Representative Dargan and members of the committee. CT Coalition Against Domestic Violence (CCADV) is the state's leading voice for victims of domestic violence and our 18 member agencies that serve them. We urge your support of SB 856, An Act Concerning Domestic Violence.

Last year the Connecticut Supreme Court interpreted [State vs. LeFleur, 307 Conn. 115, 140 (2012)] the definition of "deadly instrument" found in CT General Statutes § 53a-3(7) to be a tool, implement or device that is external to, and separate and apart from, the perpetrator's body. Therefore, someone's fists would no longer be considered a dangerous instrument during the commission of an assault.

Connecticut's current statute for assault in the 1st degree (C.G.S. § 53a-59), a statute that is regularly used to charge offenders in domestic violence situations, states that "a person is guilty of assault in the first degree when: (1) with intent to cause serious physical injury to another person, he causes such injury to such person or to a third person by means of a deadly weapon or a dangerous instrument;..."

Due the decision in State vs. LeFleur, fists can no longer be considered a dangerous weapon thereby leaving state prosecutors unable to charge someone with assault in the 1st degree if they beat their partner with their fists as opposed to a tool, implement or device external to their body. This is a significant problem that will leave thousands of victims at risk of being unable to see their abuser prosecuted for a serious physical attack perpetrated with fists.

The Division of Criminal Justice and the Office of the Chief State's Attorney proposes a simple fix to this problem by updating C.G.S. § 53a-59 (assault in the 1st degree) to include: "with intent to cause serious physical injury to a family or household member as defined in section 46b-38a, he or she causes such injury to such family or household member."

This simple fix will help ensure that the full force of the law is able to be applied to perpetrators of domestic violence who use their fists to abuse their victims. CCADV applauds the Chief State's Attorney's Office for proposing this change and we offer our full support.

Last year CCADV's 18 member programs served more than 57,000 victims of domestic violence. This includes more than 60 victims who were nearly killed by their abuser, several of whom were severely beaten with fists. It is critical that we update our statutes to ensure that perpetrators of domestic violence who use their

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fists to abuse their victims can be charged with assault in the 1st degree.

Meriden, CT

Again, we urge you to vote in favor of SB 856. Please do not hesitate to contact me with any questions or concerns.

New Horizons

Middletown, CT

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Prudence Crandall Center

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